

Appl. No. 10/030,967  
In re Tessier et al.  
Reply to Office Action of September 16, 2003

**REMARKS/ARGUMENTS**

The Examiner is thanked for the Final Official Action dated September 16, 2003.

This amendment is intended to be fully responsive thereto.

Applicant kindly requests to remove the finality of this Office Action as Applicant's amendment of June 27, 2003, did not necessitate the new ground(s) of rejection presented in this office Action. As noted in the Applicant's amendment of June 27, 2003, claim 1 has been amended to recite features inherent to flat-top antennae, which are evident from JP 57186802 and EP 0 780 027 mentioned at page 1 of the specification. Other amendments have been made to claims 1 and dependent claims 2-13 to place the claims in better condition for U.S. prosecution practice and to improve the grammar of the claims. It was respectfully submitted that these amendments were not intended to affect the substantive scope of the claims. Therefore, the finality of this Office Action is improper.

Claims 1-16 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

More specifically, the Examiner notes that the language of claim 1, such as "stacked on one another", "turn surface" and "height dimension", is not entirely clear.

As disclosed on page 1 of the specification, the flat-top antennae are currently known and consist of a plurality of multi-strand conductors. As further disclosed on page 1 of the specification, the detailed example of the structure and features of the flat-top antennae could

Appl. No. 10/030,967

In re Tessier et al.

Reply to Office Action of September 16, 2003

be found in JP 57186802 that discloses in particular the use of such an arrangement as an antenna.

As described in the JP 57186802, the flat-top antenna is a band-like multi-core cable of a plurality of multi-strand conductors sheathed with a high frequency insulating material. The term “turn” means each loop (*e.g.*, each rectangle, circle, square, etc.) in which the multi-strand conductors are arranged. *See* page 4, lines 19-22 of the specification. For example, according to our understanding the antenna depicted in the abstract of JP 57186802 would presumably have 6 “turns.”

To answer the specific questions posed by the Examiner: the turns (the multi-strand conductors) are insulated from one another; yes, each turn defines a respective turn surface which could be defined as a plane formed by each turn of the conductors; and the turns (the plurality of loops the multi-strand conductors) extend parallel to one another and are stacked to each other and an overall height of the all stacked conductors in the direction orthogonal to the turn surfaces defines a height dimension of the flat-top antenna.

Claim 1 has been amended to correct minor inconsistencies pointed out by the Examiner and to better define claim 1. It is respectfully submitted that these amendments are not intended to affect the substantive scope of the claims. No new matter has been introduced.

#### **Claim Rejections -- 35 U.S.C. § 103**

Claims 1-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Williams et al. (USP No. 2,520,986). Applicant respectfully disagrees.

Appl. No. 10/030,967  
In re Tessier et al.  
Reply to Office Action of September 16, 2003

Regarding claim 1: the Examiner alleges that Williams shows in Figs. 8 and 9, a flat-top antenna assembly comprising a support 60 and a flat-top antenna positioned on the support and comprising a plurality of turns of multi-stranded conductors 61. In fact, the turns of the wires 61 of Williams, erroneously interpreted by the Examiner as the flat-top antenna, is not the vehicle antenna, but form a separate inductive pick-up loop adapted to inductively pick up radio signals from the vehicle antenna and transmit the signal to a radio receiver. As clearly disclosed by Williams, the whole metallic conducting body 11 of the vehicle forms the antenna. Thus, the antenna disclosed in Williams is not a “flat-top” antenna and does not meet the claimed definition of the “flat-top” antenna.

Moreover, the Examiner erroneously interprets the element marked with the numeral 60 as the mechanical support recited in claim 1 of the present application. As clearly disclosed by Williams, the numeral 60 marks the insulating member on which turns of wire 61 are wound that insulates wires 61, not supports them. As further shown by Williams, the turns of wire 61 (the inductive pick-up loop) are supported by the vehicle metal body 11.

Therefore, Williams fails to disclose the flat-top antenna assembly including a mechanical support and a flat-top antenna comprising a plurality of turns of multi-strand conductors extending parallel to one another and stacked on one another, wherein the flat-top antenna is positioned on a surface of the mechanical support and a weight of the flat-top antenna is supported by the mechanical support.

Also, the Examiner concedes that it is not taught that the conductor wires used in Williams are multi-stranded. The Examiner states that it would have been obvious to a skilled artisan to employ the multi-stranded wire. However, the prior art gives no indication that the

Appl. No. 10/030,967  
In re Tessier et al.  
Reply to Office Action of September 16, 2003

multi-stranded wire would be at all desirable or would improve the functionality of the inductive pick-up loop. The mere fact that the multi-stranded wire was known in the art at the time of appellants' invention, would not have provided any suggestion to modify the inductive pick-up loop of Williams.

For these reasons, Applicant respectfully submits that the rejection of claim 1 under 35 U.S.C. § 103(a) as being unpatentable over Williams is improper, and requests withdrawal of the same.

Regarding claim 4: the Examiner alleges that it would have been obvious to the skilled artisan make the insulating member 60 of Williams of two juxtaposed pieces.

First, Applicant respectfully submits that claim 4, depending on claim 1 and including all of the distinguishing features thereof, is not anticipated by Williams for the reasons discussed above. Second, as argued above regarding the rejection of claim 1, the insulating member 60 of Williams cannot be interpreted as mechanical support. Moreover, the prior art gives no indication that the mechanical support may consist of at least two juxtaposed pieces.

Regarding claims 5-7: the Examiner interprets that the numeral 62 of Williams as holding means along with a bracket 33.

First, Applicant respectfully submits that claims 5-7, depending on claim 1 and including all of the distinguishing features thereof, are not anticipated by Williams for the reasons discussed above. Second, contrary to the Examiner's allegation, the numeral 62 indicates the rounded corners of the insulating member 60 (see column 5, lines 55-57). Apparently, the Examiner meant the cover material of the inductive pick-up loop of Williams. As disclosed by Williams, the inductive pick-up loop may be covered by upholstery material

Appl. No. 10/030,967

In re Tessier et al.

Reply to Office Action of September 16, 2003

identical to that used in the vehicle in which the loops are installed. As argued above regarding the rejection of claim 1, the insulating member 60 of Williams cannot be interpreted as mechanical support and the inductive pick-up loop cannot be interpreted as the flat-top antenna. Thus, the upholstery material covering the inductive pick-up loop cannot be interpreted as holding means for holding the flat-top antenna on the mechanical support.

Moreover, if, for the sake of argument, we assume that the insulating member 60 is the support member, the bracket 33 cannot be interpreted as holding means for holding the flat-top antenna on the mechanical support, as the bracket 33 itself is supporting member supporting the insulating member 60 of the inductive pick-up loop on the body 11 of the vehicle. As clearly seen in Fig. 4, the bracket 33 attaches the insulating member 60 to the vehicle body 11 and does not hold the wires 30 to the insulating form 31.

Regarding claim 8: the Examiner alleges that grooves in the support to hold wire therein are an obvious choice of coil formers.

First, Applicant respectfully submits that claim 4, depending on claim 1 and including all of the distinguishing features thereof, is not anticipated by Williams for the reasons discussed above. Second, the prior art gives no indication that the grooves formed in the mechanical support would be at all desirable or would improve the functionality of the inductive pick-up loop. The mere fact that the wire supports may have grooves, would not have provided any suggestion to modify the inductive pick-up loop of Williams.

Regarding claim 9: the Examiner alleges that Williams discloses a clip 33. Here the Examiner contradicts himself, as he noted in connection to the rejection of claims 5-7 that the numeral 33 denotes the bracket. The Random House Webster's College Dictionary (1999

Appl. No. 10/030,967  
In re Tessier et al.  
Reply to Office Action of September 16, 2003

Second Random House Edition), defines the word “clip” as “a device that grips and holds tightly.” Clearly, the bracket 33 of Williams does not fall under this definition.

Regarding claims 10-12: the Examiner alleges that “staples, bonding material and molding are all obvious means to mount the antenna assembly of Williams, as tape is used in Figs. 6 and 7 within the door panel (molding) or upholstery material 32 in Fig. 4”. Clearly, the Examiner misconstrued Williams and misrepresented claim 10-12.

First, Applicant respectfully submits that claims 10-12, depending on claim 1 and including all of the distinguishing features thereof, are not anticipated by Williams for the reasons discussed above. Second, Figs. 6 and 7, referred to by the Examiner, depict different embodiment of the antenna of Williams wherein the inductive pick-up loop, formed by the wire 61 in the embodiment previously referred to by the Examiner and erroneously interpreted by the Examiner as the flat-top antenna, is now formed by a thin metallic foil 50 (see column 5, lines 7-12). The Examiner further erroneously interprets the positioning of the pick-up loop inside the door support as molding. Clearly, the prior art provides no indication to use staples, bonding material and molding as holding means to hold the flat-top antenna on the support. The mere fact that the wire supports may have grooves, would not have provided any suggestion to modify the inductive pick-up loop of Williams.

Regarding claim 13: claim 13, depending on claim 1 and including all of the distinguishing features thereof, are not anticipated by Williams for the reasons discussed above. Moreover, mere fact that the hands-free access and/or starting system is known in the art, would not have provided any suggestion to modify the system of Williams.

Appl. No. 10/030,967  
In re Tessier et al.  
Reply to Office Action of September 16, 2003

Regarding claim 14: claim 14, depending on claim 1 and including all of the distinguishing features thereof, are not anticipated by Williams for the reasons discussed above. Moreover, Williams fails to disclose the mechanical support forms part of a motor vehicle. Even if, for the sake of argument, we assume that the insulating member 60 is the support member (as the Examiner alleges), the insulating member 60 cannot be interpreted as part of the motor vehicle.

Regarding claims 15-16: the Examiner alleges that the antenna assembly of Williams is used in the roof or floor. However, the Examiner noted regarding the rejection of claim 1 that Williams shows in Figs. 8 and 9, a flat-top antenna assembly comprising a support 60 and a flat-top antenna positioned on the support and comprising a plurality of turns of multi-stranded conductors 61. As clearly shown by Williams, the wires 61 of the pick-up loop are mounted to the door support of the vehicle body 11, between the roof and the floor. Moreover, it is erroneous to state that the antenna assembly of Williams is used in the roof or floor, as the whole metallic body 11 of the vehicle forms the antenna.

Therefore, claims 2-16 are not rendered unpatentable by Williams for the reasons discussed above and for the additional reason that the added subject matter of the dependent claims, when taken in conjunction with the features of claim 1, is neither disclosed in nor reasonably suggested by the applied art. For these reasons, Applicant respectfully requests reconsideration and withdraw of the rejections under 35 U.S.C. § 103(a).

Applicants believe that no fee is required for this submission. However, should a fee be due, please charge such fee to Deposit Account No. 50-0548.

Appl. No. 10/030,967

In re Tessier et al.

Reply to Office Action of September 16, 2003

It is respectfully submitted that claims 1-16 define the invention over the prior art of record and are in condition for allowance, and notice to that effect is earnestly solicited. If, after reviewing the above amendments and remarks, the Examiner believes that any issues remain unresolved, the Examiner is respectfully requested to contact the undersigned, by telephone, to schedule an interview to address such issues.

Respectfully submitted,



---

Matthew Stavish

Reg. No. 36,286

LINIAK, BERENATO & WHITE

6550 Rock Spring Drive

Suite 240

Bethesda, Maryland 20817

Telephone: (301) 896-0600

Facsimile: (301) 896-0607